

# Hawaiian Gazette.

VOL. XXXIX, NO. 45.

HONOLULU, H. T., FRIDAY, JUNE 3, 1904—SEMI-WEEKLY.

WHOLE No. 2595.

## JAPAN LANDING ARMY OF 50,000 ESTEE REVERSED IN LAST DECISION



JAPANESE INFANTRY BOUND FOR KOREA MARCHING TO THE TOKIO RAILWAY STATION.

### Kuropatkin to Attempt a Diversion---14,000 Russians March South From Liaoyang--- Quiet in Recent Battle Region.

(ASSOCIATED PRESS CABLEGRAMS.)

VANZALEN, June 3.—The Japanese are landing another army of 50,000 at Takushan.

JAPAN PILING IN SOLDIERS.

NAGASAKI, June 3.—Transports loaded with troops are leaving western Japanese ports daily.

RUSSIANS MAKE A MOVE.

NEWCHWANG, June 3.—General Stalkenberg with 14,000 Russians has marched south from Liaoyang in the direction of Wafantien.

UNCHANGED SITUATION IN SOUTHWEST.

ST. PETERSBURG, June 3.—General Kuropatkin telegraphs that the situation is quiet at Fengwangcheng. The Japanese have evacuated Saimatsu (Samatki), which the Russians have reoccupied. There is no change in the situation at either Newchwang or Kaichow.

KUROPATKIN'S RUMORED INTENTION.

LONDON, June 3.—Telegrams from various points seem to confirm the rumor that General Kuropatkin will attempt a diversion in the direction of Port Arthur.

NEWCHWANG, June 1.—Chinese fugitives from Port Arthur report provisions scarce, with famine prices prevailing. The hospitals are full.

FIVE DAYS' FIGHTING.

NEWCHWANG, June 1.—There has been continuous fighting northeast of Fengwangcheng since May 27. Both sides suffered severely. Finally the Russians retired to Simatki.

GETTING CLOSE TO PORT ARTHUR.

CHEFOO, June 1.—An unconfirmed report has been received of a battle within six miles of Port Arthur.

RUSSIANS HANG CHINESE.

SHANGHAI, June 1.—The Russians have hanged a number of Chinese caught signalling to the Japanese fleet near Vladivostok.

MOSCOW, June 2.—Harbin is to be fortified to resist a siege.

BATTLESHIP FUJI REPORTED STRANDED.

MUKDEN, June 2.—The Japanese battleship Fuji is reported to have run aground off Maotao Islands, Gulf of Pechili.

JAPANESE MINES AT PORT ARTHUR.

ST. PETERSBURG, June 2.—Admiral Alexieff has wired the Emperor that numerous Japanese mines have been discovered in the roadstead of Port Arthur.

QUIET NEAR FENGWANGCHENG.

ST. PETERSBURG, June 2.—General Kuropatkin reports everything quiet in the direction of Fengwangcheng. Kuropatkin has 10,000 men ready to take the field.

### WILL THE FLEET BE BACK SOON?

There is a theory among many of the men of the fleet now in Honolulu that Admiral Glass's squadron will return to Honolulu within two months. They say that if the Russian Baltic fleet is pushed around Cape Horn, with the possibility of its making a call here, the United States will be left to face the Pacific squadron here at that time.

### WHITE RACE WARNED AND OTHER WAR ITEMS

(Associated Press Mail Telegrams.)

NAGASAKI, May 26.—All appeals to the Sasebo Naval Prize Court for the restitution of the neutral cargoes seized by the Japanese shortly after the outbreak of hostilities have been dismissed. This decision of the Prize Court has caused considerable discontent among foreigners.

JAPANESE MANCHURIAN COMMISSION.

LONDON, May 26.—A dispatch to the Central News from Tokio says a military administrative commission has been formed to administer the territory in Manchuria temporarily occupied by the Japanese and the work of the railroads therein.

CORRESPONDENTS BARRED.

ST. PETERSBURG, May 26.—Viceroy Alexieff has decided not to allow any more foreign newspaper correspondents to join the Manchurian army, at least for the present. None of those at Mukden have yet been allowed to go to Liaoyang, much less to the front, and when permission is granted it is probable that some sort of pledge will be exacted which will require them to remain through to the end of this year's campaign on the ground that if they depart at will they would take away information concerning the Russian dispositions, equipment, guns and transportation facilities which would be published beyond the jurisdiction of the Russian military censors and might prove of great value to the enemy.

WHITE RACE IMPERILED.

CHICAGO, May 26.—Warning of the dangers which threaten the United States and entire white race in the event of a Japanese triumph in the war against Russia has been voiced before the Twentieth Century club by Baron Ernst Von Hesse-Warthe of Triebach, Switzerland, Austrian Commissioner to the Louisiana Purchase Exposition.

The Baron, who has had an experience of many years in the Orient, spoke on the subject "The Seat of War in the Far East," and insisted that the sympathies of Caucasian races should be with the Russians. His views seemed to meet the approval of many of the club members, who applauded him vigorously.

MAGNIFICENT HOSPITAL TRAIN.

ST. PETERSBURG, May 26.—The Empress Hospital train started on its journey to the Far East to-day. Among those at the station to witness its departure were Grand Duke Michael Alexandrovich, the heir presumptive and Duke Peter of Oldenburg, the Emperor's brother-in-law. The train is the finest railway hospital ever constructed. It consists of two sections, the first composed of fourteen ambulance cars fitted with every appliance for the comfortable transportation of the ill and wounded. The second section contains two operating cars supplied with every adjunct of the modern operating room—tiled in.

(Continued on Page 8.)



HENRY A. JONES, CHAIRMAN OF THE HAWAIIAN COMMISSION.

### Court of Appeals at San Francisco Decides the Case of Schirmacher vs. Ship Erskine M. Phelps.

(ASSOCIATED PRESS CABLEGRAM.)

SAN FRANCISCO, June 1.—The Ninth Circuit Court of Appeals has reversed the judgment of the United States District Court at Honolulu in the admiralty case of Schirmacher vs. the American ship Erskine M. Phelps.

The decision just reversed was by the late Judge Morris M. Estee and was rendered on October 15, 1903. It was a suit brought by Julius A. Schirmacher against the Erskine M. Phelps, whereof R. J. Graham was master, for \$10,000 damages on the ground of neglect with which it was alleged the complainant, a member of the crew of the defendant ship, had been treated after his leg was broken by accident. Judge Estee awarded to Schirmacher eighteen hundred dollars together with costs of the suit. He found in a lengthy decision that there was no evidence of carelessness in loading the ship as cause of the accident. Neither was there a proof of the failure in the legal obligations of a vessel owner regarding food supply or proper care in case of sickness. Captain Graham was censured by the court for personal indifference to the injured man's case and delay in having him placed under surgical treatment on arrival at Honolulu. The main reason for awarding damages, however, was that Captain Graham did not head the ship for the nearest port to obtain surgical assistance for the complainant when the accident happened. It was held by the court that he should have made for Valparaiso, Chili; Port Stanley, Falkland Islands, or even Tahiti or the Marquesas, all nearer where the accident happened than Honolulu. She was less than 900 miles from Valparaiso at the time.

Judge Estee died on October 27, the decision here mentioned having been the last one he ever rendered.

### THREE HUNDRED MILES WIRELESS SIGNALS CAME

### Severe Test Beautifully Sustained By Hawaiian Wireless Telegraph System Between Shore and Receding Ship.

Receiving intelligible signals from a distance of nearly three hundred miles at sea was the splendid record achieved by the Inter-Island Telegraph Co.'s wireless system yesterday. This was a test arranged between Manager F. J. Cross of the local company, Lieut. Sweet on board the U. S. N. transport Solace and the officers of the U. S. flagship New York, before the departure of the Solace for San Francisco on Wednesday.

Lieut. Sweet, it was arranged, was to call up the Barber's Point station and the New York at midnight Wednesday, at 5 a. m. and at 12 m. yesterday. He did so. Part of the arrangement was that the Solace should make a uniform speed of fifteen knots an hour, so that distances might be calculated.

At 12:10 a. m. yesterday, when the Solace was 100 miles on her voyage, a message from her for Admiral Terry was clearly read at Barber's Point. It said:

"A hundred miles from Honolulu. Fine weather and smooth sea."

Then, at 5 o'clock in the morning, or a little after by local time, Barber's Point got words and detached letters of a message for Admiral Terry. There was failure to get the message entire owing to atmospheric disturbances.

Mr. Cross had instructed all the operators at this end to stand by and not to interfere at noon, as the Solace was to call the Barber's Point station at that time. Unfortunately the New York operator misunderstood the instructions. Barber's Point got the call from the Solace in distinct signals—"V's" and periods—together with the Solace's signature "S. C." and the goodby "S. N." meaning "Shut down."

As Barber's Point attempted to reply, the New York misunderstandingly chimed in. Thus both the vessels came on top of the Barber's Point operator at once. At fifteen knots an hour the Solace would have made 150 knots from her second message, 100 miles out as already seen, to the time of her final signals just mentioned. This means that she communicated with the land at a distance of 250 nautical miles.

Mr. Cross thought at first, on receiving the report of the last signals from Barber's Point, that the operator there was giving him "a bit," but on going aboard the New York he found that it had also received the signals with appreciable distinctness.

Barber's Point told the New York to keep off, as he was working with the Solace, but by the time his remonstrance was finished the Solace had about got through with her signaling. All messages from the Solace were to be sent twice, Lieut. Sweet knowing that Barber's Point could send longer than he could receive.



A bill in equity at chambers was filed yesterday morning against J. L. Wilson and High Sheriff A. M. Brown by the Territory of Hawaii by the Hawaiian Telegraph Company, the only Waterhouse Trust Company and John D. Brown to restrain the respondents from interference with the plaintiffs' property until further order of the court, and that the respondents be enjoined to appear and answer the complaint and that upon proof of the matters stated the injunction may be made permanent.

Judge H. H. Brown issued the temporary injunction as requested.



Each table held a centrepiece of white magnolias in a large bowl with marble streamers of green and pink giving the length of each board.

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Also, luncheon at Honolulu has just passed from Mr. Grant of Lyons a two-manual organ for \$100.







## REMARKABLE PROOF THIS

**That the Mosquito  
Pest Can Be  
Killed.**

(From the Boston Herald.)

To the Editor of The Herald:

In the report of Lord Cromer on the subject of matters of interest to the British government in the affairs of Egypt and the Sudan I find one of especial interest to many Americans. It is, I believe, still a question in the minds of many as to whether the mosquito is an active agent in the propagation of malarial fever. There is no such doubt existing in the minds of the officers connected with the military service in the Sudan and those parts of Central Africa which I have recently visited. Especial efforts have been successfully made for the elimination of these pests in Khartoum, with a practical cessation of malaria there and to the great comfort of its population. Were any other data necessary to settle this important question, it is given in the portion of Lord Cromer's report which I append, and which I ask you to print; and to which, in the interest of suffering humanity, I also beg you to call especial attention, with a request that it shall be copied by the press as extensively as possible.

The astounding fact of the reduction of cases from 2105 in 1902 to 10 new cases in 1903 in a place that has been considered as practically uninhabitable by foreigners speaks for itself, and it cannot become too widely known.

DANA ESTES,  
Alexandria, Egypt, May 1, 1904.

The following is the extract from the report of Lord Cromer referred to by Mr. Estes:

I wish to draw public attention to the very remarkable hygienic results which have been obtained at Ismailia by the application of Maj. Ross's plan for the destruction of mosquitoes.

I am indebted to the kindness of Count de Serlonne, the administrator of the Suez Canal Company's affairs in Egypt, for the following very interesting facts:

The town of Ismailia was founded in 1862. Public health was in a satisfactory condition until 1877. By that time, various works had been constructed in the neighborhood of the town, resulting in a considerable increase in the area of stagnant water. An epidemic of fever then broke out; 335 cases occurred in 1877. The disease became endemic. The average number of cases in the 14 years, from 1884 to 1897, both inclusive, was 1700, thus constituting a very large proportion of the total population.

Up to the end of 1897, the company had spent about £15,000 on works designed with the intention of improving the sanitary condition of the town, besides some £13,000 on medicines, which were furnished gratuitously to its own employees. On the advice of a medical commission, which sat at the close of 1897, further expenditure, amounting to £4000, of which a portion was borne by the Egyptian government, was undertaken. Still, no impression was made on the fever. The average number of cases in the five years from 1898 to 1902, both inclusive, was 1800.

In 1902, Prince d'Arenberg, the president of the Suez Canal Company, invited Maj. Ross to visit Ismailia and report on the situation. The result was that, on the 27th of December, 1902, it was decided to adopt Maj. Ross's system. I need not describe that system in detail. It is, as is well known, based on the assumption that certain species of mosquito (the anopheles) are active agents in the propagation of disease. Various methods are adopted for preventing these insects from breeding. Notably, great care has to be taken to obviate the accumulation of stagnant water.

The following figures, which give the number of cases of fever which occurred month by month in 1902 and 1903, respectively, show what very remarkable results have been achieved:

	1902, 1903.
January.....	162 13
February.....	100 20
March.....	101 16
April.....	621 14
May.....	133 9
June.....	154 15
July.....	120 23
August.....	130 18
September.....	176 25
October.....	159 39
November.....	174 12
December.....	73 9
Total.....	2105 213

A glance at this table is sufficient to show that the disease, though it has not yet entirely disappeared, has been enormously diminished. The facts are, however, even more remarkable than would at first sight appear, for I am informed by Sir Horace Pinching that out of the total number of 213 cases which occurred in 1903, no less than 90 were cases of persons who had previously had the fever. The number of fresh cases in the year was, therefore, only 123. There have been no fresh cases since the 15th of October.

There can, therefore, be no doubt as to the efficacy of Maj. Ross's system. It would perhaps be somewhat extraordinary to assume that results similar to those obtained at Ismailia can be variably reproduced elsewhere. The

## WILL TEST THE LAW

**Merchants Take Action  
Against Making  
Exhibits.**

At a meeting of the Merchants' Association yesterday the directors were authorized to take action in the courts in testing the law which requires corporations to submit exhibits of their business to the Treasurer of the Territory. The members were unanimous in the belief that it is wrong to expect purely mercantile corporations, whose stock is not dealt with for speculative purposes, to submit statements of their business affairs, which at any time can be examined by a rival simply by calling upon the Treasurer and asking to see the reports.

President Smith stated that the association believed in upholding the law if it were a just one, but that he believed this one unjust. The object of this law is that corporations must make such detailed exhibits of their operations that the public may call at the government offices and secure accurate statements of their condition and workings. In the case of sugar plantations, or other large industries in which the stocks of corporations are generally handled by the public, the law was a benefit, but for small mercantile corporations it worked a hardship and an injustice. A traveling salesman from San Francisco or a rival business concern here might go to the Treasury department and secure, from such exhibits, information greatly to the detriment of a corporation which complied with the requirement.

Mr. Smith stated that the firm he represented, against which the Treasurer is to bring his suit to compel the filing of exhibits, was opposed to the making of the returns. The firm had always refused to file the exhibit and had been told by their attorneys that the law provided no punishment for their failure to file it. He felt that the matter was one for the Merchants' Association to handle, as it affected a great proportion of the local mercantile firms.

Messrs. McInerney, Foster, Waldron, Rothwell, Berndt, Luttet, Catton, Angus, Bellina, Kerr, Harris, Soper and others made remarks of a similar nature, although some of the merchants stated that in the past their firms had made the exhibits to the Treasury Department.

A report was received showing that it cost the joint committee of the Merchants' Association and the Chamber of Commerce \$245.00 to entertain the Filippine who recently passed through Honolulu.

The committee which is investigating the question of steamship fares for tourists reported that it would require more time. President Smith stated Governor Carter's co-operation had been asked in the matter. At the present time it is impossible for persons wishing to leave Hawaii to secure accommodation on steamers carrying the American flag. They are not allowed to travel on vessels under foreign flags. The Secretary of the Treasury has discretion, under the navigation laws, to permit passengers to travel under foreign flags between two American ports in a case of this kind and Governor Carter was asked to see Mr. Shaw while in Washington concerning this matter.

An application for membership made by Richard H. Trent will be acted upon by the board of directors.

Conditions under which the experiment has been tried at Ismailia are in fact, exceptionally favorable. Success can only be insured by careful attention to a number of petty details. Even if it were possible, it would, I conceive, generally be objectionable to attempt to enforce this attention by legislative measures, which would almost certainly involve minute and, probably, vexatious interference on the part of officials with the household arrangements of each family and individual. In most cases, therefore, everything will depend on the effective and voluntary co-operation of the householders themselves. The position and influence of the Suez Canal Company at Ismailia greatly facilitated the work of securing this co-operation, for the whole population practically consists of those who, in a greater or less degree, are connected with the company. Elsewhere, the requisite amount of co-operation may be more difficult to obtain.

There is, however, one point in connection with this branch of the subject which is worthy of note. Expert authorities are agreed in holding that mosquitoes do not range far from the place where they are bred. It would, therefore, appear possible for a few neighbors to co-operate together, and free their special locality from this insect pest. The experiment is now being tried in the quarter of Cairo in which I reside. In order to encourage other residents in Egypt to follow the example of my neighbors and myself, I may mention that I am informed that it has become possible to dispense with mosquito curtains at Ismailia.

### Satisfaction of Judgment.

J. C. Aspell in his suit for damages for mail loss prosecution against H. H. Hendrick, for which the jury awarded him \$1000 on May 11, following a previous award of \$1000 which Judge Hendrick reversed, and which the jury has now affirmed, and which the jury has now affirmed, and which the jury has now affirmed.

## WAILUKU WATER RIGHTS CASE FINALLY DECIDED

**Hawaiian Commercial & Sugar Co. Gains Injunction Over Wailuku Sugar Co. In Supreme Court.**

A decision without dissent was handed down by the Supreme Court early yesterday afternoon in the long fought case of the Hawaiian Commercial and Sugar Company vs. The Wailuku Sugar Company over the vexed question of water rights in the Wailuku stream, Maui. The decision grants with specified clauses and reservations, the injunction prayed for to restrain all illegal diversions of water from Wailuku stream, Maui.

The two companies own large acreage on the watershed of the Wailuku stream, that of the plaintiff being much larger than that of the respondent, the difference being between 24,541 acres and 3080 acres. The respondent has been in the habit of using certain waters between certain hours, 4 a. m. to 4 p. m. on week days and 4 p. m. to 4 a. m. on Sundays, and claims vested rights of surplus waters for 1375 acres of land deeded in 1863 by Kamehameha IV.

The water in question is not merely that of the ordinary flow of the Wailuku stream, but of the small freshets that occur ordinarily once in ten days, also the storm waters. Certain dams have also to be kept up by respondent. The case was appealed from the decision of Circuit Judge De Bolt of the First Circuit and was submitted on December 23, 1903. A. S. Hartwell, W. O. Smith, Castle & Withington are counsel for the complainant, and Kinney, McClanahan & Cooper for respondent.

The injunction issued, for which a decree will be made in accordance upon application, restrains respondent from diverting any water from the Wailuku stream on Sundays between 4 a. m. and 4 p. m. or on any day between 4 p. m. and 4 a. m. except for two lands, and from diverting from the Maniania ditch any water between 4 p. m. and 4 a. m. any day. Also from diverting into Maniania ditch by day any water at such time as to prevent the entire water in the Wailuku stream from being at 4 p. m. where it would be but for such diversion and from otherwise exceeding rights as declared in the opinion.

Justice Perry is author of the opinion, of which the following is the syllabus, covering the points decided:

The surplus water of an ahupuaa, meaning thereby the water, whether storm water or not, that is not covered by prescriptive or riparian rights, is the property of the konohiki, to do with as he pleases, and is not appurtenant to any particular portion of the ahupuaa.

No part of such surplus water passes as an appurtenance under a deed of a portion of the ahupuaa not bordering on any stream nor having any streams or springs within it.

By the judgment in the case of Lonoaea vs. Wailuku Sugar Company, 9 Haw. 651, 655, 656, all of the prescriptive rights to water then owned by the respondent were adjudicated and awarded to it.

By the term "its present estate," used in that judgment, was meant only the 984 acres of respondent's land then in cane or which had been theretofore planted in cane, and not all of the available cane land then owned by the respondent.

By that judgment the respondent was not awarded all the water in the Wailuku stream during the day irrespective of the quantity in the stream.

That judgment excluded night water and Sunday day water as not belonging to the respondent by prescription.

With reference to water which had been used adversely for less than the statutory period, the institution of proceedings and the judgment in the Lonoaea case interrupted the running of the statute, and the period of prescription would have to commence anew thereafter. The adverse user had before the judgment cannot be tacked on to that, if any, had after that time so as to ripen into title.

The judgment in the Lonoaea case awarded to the respondent "the water for its present estate from these ahupuaas" (meaning the various large ahupuaas then leading from the Wailuku river) "on each day of the week, excepting Sunday, from four o'clock a. m. to four o'clock p. m., the dams to be kept substantially as they are at present, composed of loose stones and dirt." "The water for its present estate" thus awarded means the water needed, without waste, for the 984 acres, constituting the respondent's estate at the time of the institution of that suit, if cultivated in cane, limited, however, to the quantity flowing in the ahupuaas as they were at that time and diverted by the dams kept substantially, as to height, composition and otherwise, as they then were, and limited further to the days and to the hours named in the judgment. This may include the water of freshets, small or large, provided it is thus needed and only to the extent that the limitations mentioned as to time of taking and capacity, etc., of dams and ditches.

It does not necessarily follow from the mere fact of a discontinuance of irrigation of land to which water rights are appurtenant, that the right to the water is abandoned. Whether or not there has been such abandonment is a question of intent, to be determined upon all the evidence.

Under the judgment above quoted, the respondent was awarded water for the purposes of its sugar mill. The water flowing from a tunnel dug by the respondent on its estate since the date of the Lonoaea judgment is now owned by the respondent in addition to the water to which it is entitled under that judgment.

Water may be diverted from lands entitled thereto to other lands, provided such diversion can be accomplished to the extent only that it can be accomplished without injury to the rights of others.

Where an attempt is made to so divert water, the burden is upon the party making such attempt to prove that the diversion is without injury to the rights of others; and if the proof is not such as to satisfy the court of the harmlessness of such diversion, the diversion will be enjoined.

The rights of the Wailuku Sugar Company in the waters of the Wailuku stream declared and an injunction ordered to issue restraining it from continuing certain illegal diversions of water shown to have been committed by it.

## COUNTY ACT COMMISSION ORGANIZED FOR BUSINESS

**Mr. Cooper, Chairman, and Mr. Stewart, Secretary---Weekly Meetings To Be Held Tuesday Evenings.**

There was a meeting of the County Act Commission for organization at the office of Henry E. Cooper yesterday afternoon at 4:30. All of the commissioners were present, viz.: Henry E. Cooper, T. McCants Stewart, C. L. Crabbe, Fred. C. Beckley and E. M. Watson.

Mr. Cooper was unanimously elected as chairman, and Mr. Stewart as secretary, for the duration of the Commission.

Mr. Crabbe was appointed a committee of one to ask the Governor for a place in the Capitol where the regular session of the Commission may be held. It is thought that there will be no objection to setting the hall of the House of Representatives apart for this purpose.

The meeting decided to hold weekly sessions on Tuesday evenings, opening at 7:30 o'clock. On the question being raised, it was concluded that the meetings should be open to the public. Possibly on occasions outside opinions will be solicited upon questions of detail in the proposed county government.

Mr. Cooper consented to a request that, at next meeting, he address the meeting upon the scope that should be taken by the Commission in framing a measure of county government for submission to next Legislature.

### SEARCH FOR CONEMAUGH REQUESTED.

WASHINGTON, June 2.—The Government has been requested to send a vessel in search of the steamship Conemaugh. The Conemaugh is long overdue at Delaware Breakwater with a cargo of sugar from Hawaii. She has been given up for lost by shipping men.

## FAILED TO CONVICT

**Jury Hangs In Johnson-Kumalae Conspiracy Case.**

After being out a little more than an hour the jury in the Kumalae-Johnson conspiracy case failed to convict yesterday afternoon, standing 7-5, the majority for conviction. Attorney General Andrews asked that the new trial be set for June 13, to which Ashford objected on the grounds of sickness. Judge De Bolt has not yet definitely arranged the date.

The defense addressed the jury first yesterday morning and Attorney Ashford told the jury that the prosecution of Representative Kumalae and Attorney Enoch Johnson by the Attorney General's department was influenced by politics. This view he supported by claiming that the charge was made to read conspiracy rather than gross cheat because a conviction on such indictment would mean the forfeiture of civil rights. He claimed that conspiracy had never been proven and that should conviction result the Attorney General would turn around and say to the defendants, "Now you see what we'll teach you when you leave our party to join another." This brought a smile to the faces of both defendants which rippled over the jury box. Everyone seemed to expect an objection to this "outside the evidence" allusion to Kumalae's bolt from the Republican party, but none was forthcoming.

Attorney General Andrews for the prosecution made a powerful speech, recapitulating the evidence that he claimed clearly showed fraud and conspiracy, weighing heavily on Enoch Johnson's own testimony. His talk was forceful, concluding with the claim that none of the services set forth, attested and paid for, had ever been performed.

Noon struck as the Attorney General concluded and the jurors lunched under the eye of the bailiff, returning to court at two o'clock, when Judge De Bolt read his instructions summing up the legal points involved very concisely. As the Judge closed and the jury left, each attorney expressed his conviction of having the better of the charging. It was freely intimated round the corridors that the jury would hang or fall to convict and general expectations of an 8-4 disagreement were rife.

The jury repaired to the watch tower to get the benefit of the breeze and returned to court shortly after 3:30 with a disagreed verdict of 7-5.

Attorney General Andrews asked that the trial be reset for the 13th inst., but Attorney Ashford stated that for three weeks past he had been really unfit for work and had only been borne up by the importance of his clients' positions. He asked for more time and the Attorney General submitted that with a mistrial like the present case, where witnesses outside the city were being held at great expense, the new trial should be set, providing Mr. Ashford was not seriously ill or too busy, as soon as possible.

A new panel will be drawn from and the fresh trial set in all probability within two or three weeks.

Captain Rosehill, the veteran Pacific voyager, is quoted as saying the Japanese on the small islands west are killing sea birds by the million, his judgment being from what he observed on Marcus Island.

## Impure Blood

When the blood is pure and the bowels are regular, there need be but little fear of sickness. Keep two grand medicines in the house; and use them when you first begin to feel poorly. Recovery will be prompt, and serious sickness prevented.



Mr. Fred Pierce, who resides at South Terrace, Adelaide, S. Australia, sends this letter with his photograph:

"For some years I have been a boundary rider on some of the far northern sheep and cattle stations. I had severe attacks of indigestion, and my blood would often get very impure. My skin would be covered with blotches, and my general health greatly affected. Whenever these attacks would come I would procure Ayer's Sarsaparilla and Ayer's Pills. I always found that the Sarsaparilla would quickly purify my blood and strengthen my digestion, while the pills would correct my constipation and biliousness."

**AYER'S  
Sarsaparilla**

There are many imitations of Ayer's Sarsaparilla. Be sure you get the genuine. Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U.S.A.

## GRAND JURY IN SESSION

**May Take Up Land Office Matter Today.**

There was a hearing before Judge Gear yesterday morning in the matter of the estate of D. G. Camarinos, deceased, several protests against the accounts filed by Administrator C. H. Brown being filed by creditors who claim that other accounts were given preference. The hearing was postponed until next week. It is stated that the creditors already paid will refund the money for a pro rata redistribution.

Judge Robinson yesterday signed an order approving the accounts in the estate of the late James J. Stewart.

### LAND OFFICE SHORTAGE.

The Territorial Grand Jury was in session yesterday taking up the smaller cases. It was expected that the Land Office embezzlements were to be taken up in the afternoon but this has, it is said, been postponed to this morning when Auditor Fisher will in all probability be called upon to testify. Some sensational exposures of big shortages amounting to many thousands of dollars are said to be forthcoming. It is stated that when the legislative committee made their investigation of the land office a ledger was carefully stored away and the committee was merely able to report that so much was owing in rents on such and such leases amounting to such and such an amount without being able to verify the accounts. Many of these outstanding accounts were, it is now claimed, already paid and the money appropriated to private uses. The Auditor's department with Mr. Pratt is now well on towards the end of its investigation, though until returns are brought in from leaseholders as to compared accounts the total amount of shortage can be only approximated.

### ATHERTON ESTATE.

The accounts of the estate of the late J. B. Atherton have been finally approved by Judge Robinson, who has signed an order dismissing the administratrix, Mrs. Juliet M. Atherton. The probate passed without bonds or accounting, the will having stipulated that no bonds should be asked and all the heirs having waived accounting. All the bequests have been paid, the special ones mentioned in the petition being \$20,000 each to C. H. Atherton, Mary Atherton Richards and A. M. Atherton, with \$10,000 to Sarah Atherton Gilman.

**KAMALO CASE AFTERMATH.**  
Attorney Lightfoot held the floor all morning yesterday before Judge Gear in the case of Dee vs. Smith, arguing for the plaintiff and speaking until nearly four o'clock in the afternoon. Attorney Dunne will take up argument for his side tomorrow morning.

### CRIMINAL LIBEL RULING.

Judge De Bolt yesterday morning, after complimenting T. McCants Stewart for the defense and W. S. Fleming for the Territory upon their able arguments and quotation of the authorities, overruled the plea in abatement and motion to quash the indictment in the charge against F. J. Testa alleging criminal libel. This morning was set for the defendant to plead or enter further motion of intervention.

### MANOA VALLEY MORTGAGE.

A petition was filed on Wednesday afternoon by Henry E. Cooper for foreclosure of a mortgage against the Island Realty Company and J. A. Gilman. This property includes Mr. Cooper's former residence and property adjoining the College Hills tract.

The mortgage was made in May, 1900, to secure payment of a note for \$70,000 with interest at six per cent, payable semi-annually. The sum of \$5,000 was paid in June, 1900, on the principal, leaving unpaid the sum of \$65,000 plus \$3,900 unpaid interest. J. A. Gilman is alleged by the plaintiff to have an interest claim in the said property by virtue of a second mortgage which plaintiff believes to be unrecorded and the claim of Mr. Gilman inferior to the lien of the plaintiff's mortgage.

Believing that the property has greatly depreciated in value and that unless allowed to bid in himself for the property at such sale as he prays shall be ordered, the plaintiff asks that the defendant shall be ordered to appear and answer the petition and that the property be sold at public auction, and that the Island Realty Company be required to pay any residue that may not be covered by the proceeds of the sale, including costs of the suit and attorney's fees, and that the claim of J. A. Gilman may be set up and adjudicated by the court.

### Executive Doings.

Professor Heall has asked Acting Governor Atherton to present the diplomas in high school graduates on June 11 and received the executive order to do so.

The Acting Governor also agreed to hand over to the Department of Agriculture and Forestry for their use the collection of preserved fruits and seeds of many kinds which were preserved for the proposed cabinet at St. Louis. These will still be on order of the Department of the Territory.



## F. L. HOOGS IN ST. LOUIS

### He Complains of Graft in Both Exposition and City.

ST. LOUIS, MAY 22.—Graft is rampant in this city and particularly on the Exposition grounds. Public spirited men of St. Louis fear that the greed of the people will injure the fair to a great extent. As it stands now, visitors do not tarry long, but take in the fair without loss of time and then depart, glad to get out of the clutches of the wolves of St. Louis.

Almost highway robbery is committed at the Exposition grounds. You must pay for everything. A glass of water can only be secured by contributing coin of the realm. Outside of the exhibition buildings everything is a concession. The exposition management receives 25 per cent of the receipts of all concessions, so the management is in a measure responsible for high charges. The visitors complain loudly, but no attention is paid to protests. The robbery goes on without fear or hindrance.

Even the heads of the exposition are now being charged with wilful extravagance—to use a mild term. A number of them are and have been receiving large salaries for several years. Many of them are drawing down as high as \$25,000 a year for positions that do not require the greatest executive ability. This extravagance has been protested against without success. About 120 men who hold stock in the Exposition have refused flatly to pay up and recently suits were commenced to force the delinquents to settle. When these cases are up before the courts, the extravagance of the Exposition heads will receive a delightful airing.

St. Louis people are not supporting the Exposition in a very satisfactory manner. During the opening week there were but 65,387 paid admissions—not enough to pay the daily running expenses of the grounds. On the other hand there were 72,000 free admissions during the same time. The cost of running the Exposition must be very great. The music alone costs in the neighborhood of \$5,000 a day. There are several renowned military bands employed. Souza furnishes two concerts each day and is said to receive \$1,000 for each concert. All other features are supported on an equally expensive scale.

Of the Exposition itself no words but of praise can be said, but a long story could be written on the graft that is present always.

FRANK L. HOOGS.

## MINOR LAND OFFICE FEES MAY HAVE BEEN TAKEN

It is said that the exact amount of the alleged shortages in the office of the Land Commissioner may never be known, owing to the non-entry of minor fees for copying of records, deeds and leases.

All leaseholders are being communicated with and shown the amounts outstanding against them with a request to present back receipts should they not agree with the territorial book-keeping. This is a lengthy way of getting at the heart of the matter but a practical one, and until it is concluded neither the auditor nor Commissioner Pratt can state what the defalcation may or may not be.

Plans are being laid to provide for a check against the possibilities of receiving minor fees without entry, but no satisfactory scheme has yet been evolved.

## MIOWAY ISLANDS SHIPPING RULE

Commissioner E. T. Chamberlain of the Bureau of Navigation, Department of Commerce and Labor, has rendered the following decision, addressed to the U. S. Shipping Commissioner, San Francisco:

"Referring to your letter dated the 4th instant, this office advises you that in the case of the steamer Francis H. Leggett, bound to the Midway Islands, she may be stopped as it is in the sailing trade, unless she is to be used in some foreign port."

THE EFFICACY of Chamberlain's Pain Balm in the relief of rheumatism is being demonstrated daily by thousands of the afflicted who have been cured by its use. It is a powerful remedy for all kinds of rheumatism, neuralgia, sciatica, etc., and is the only remedy that will cure them in a short time. It is sold by all druggists and is the only remedy that will cure them in a short time. It is sold by all druggists and is the only remedy that will cure them in a short time.

## NAPOLÉON'S HAIR SHOWN

### Fast Railroad—Oregon and California Exhibits.

ST. LOUIS, May 20.—A complete working model of a proposed monorail line between London and Liverpool, England, is among the World's Fair railway exhibits in the Transportation building. The model is one-sixteenth of the actual size.

The running wheels are in the center of the train, straddling an A-shaped structure at the apex of which is the rail. The underwork of the carriage hangs down on either side and there is an ingenious arrangement on horizontal wheels which runs along the guide rails half way down the sides of the "A" with flanges beneath. When the train takes a curve the pressure falls upon these horizontal wheels, and thus there is no more risk in turning curves than in running straight.

The speed of the trains to be operated on this new style of road is 110 miles an hour.

### PRUNES WHILE YOU WAIT.

World's Fair visitors are treated to a feast of prunes, at the California exhibit in the Agriculture building. Stewed prunes, raw prunes, dried prunes, fresh prunes and prunes served in every imaginable way are handed out to visitors, free of cost, with the compliments of the California Farmers' club and granges. Instructions are given in cooking and serving prunes, and the public receives some information as to the value of prunes as food.

### DOME OF GRAIN AND GRASS.

A colossal dome covered with clusters of grain and grasses constitutes the beautiful center piece of Oregon's exhibit in the Palace of Agriculture at the World's Fair. Even the eight huge pillars supporting the dome are encased in artistically arranged bunches of golden grain and native wild grasses and forage plants that grow to such prodigious size in the fertile fields of Oregon.

The dome is surmounted with an enormous bundle of wheat towering six feet above the canopy. One of the sides of the kiosk is a wall of grasses, the center-piece being a bunch of buffalo grass covering a space of seven by four feet. This is surrounded by bunches of alfalfa, sweet peas and clover and nearly twenty other kinds of Oregon grasses. Altogether 265 varieties of grain and 165 varieties of grasses are used in this exhibit. More than a hundred different kinds of wheat are used, some having grown to the height of more than seven feet. Rye, barley and buckwheat in many varieties also appear in this exhibit and help to beautify the handsomely decorated dome. The interior contains a fine display of the famous Oregon hops in bales and on the vines, and 600 glass globes filled with different kinds of grain and grass seed. There is also a fine collection of vegetables put up in glass jars, showing the varieties produced in Oregon.

Occupying a prominent place inside the dome is a large seal of the coat-of-arms of Oregon, done in grain. It is 3 feet, 8 inches in diameter and is made of wheat, oats, rye, millet and other seeds. This work of art was executed by a sixteen-year-old Oregon boy, George Bonnie, of Woodburn. Above the state seal is the word "Welcome" made of prunes. The word "Oregon" in prunes appears in two places on the outside of the dome.

Between the pillars are looped the colors of the Louisiana Purchase Exposition, in red, white, blue and yellow silk, beneath which are suspended festoons of golden grain. The inside of the dome is tastefully decorated with ropes of grain and grasses.

The Oregon agricultural exhibit is in charge of J. R. Douglass, superintendent of the state's agricultural department, who will accord a hearty welcome to all World's Fair visitors.

### NAPOLÉON'S HAIR ON EXHIBITION.

ST. LOUIS, May 20.—A lock of the hair that grew on the head of Napoleon Bonaparte is an exhibit in the historical section of the Anthropological Department at the World's Fair. The lock, which is a small one, is reddish brown in color. It has probably faded somewhat from its original color of dark brown. It is contained in an ebony stand inlaid with silver, and lies on a blue silk background.

The relic is owned by Mrs. Charles Hopkins of Washington, D. C. The hair was given by Bonaparte himself to Prince Charles I. Bonaparte, the son of Lucien Bonaparte, and was transferred by him to the Hon. Edward Everett, of Boston, when the latter was Minister to England in 1845. Mr. Everett willed it to his daughter, Charlotte Everett Brooks, and she in turn left it, in 1879, to her daughter, Mrs. Hopkins. The seals of Prince Charles of Cambré adorn the back of the case.

### REGISTERED WARRANTS.

Six Thousand of Them Outstanding Awaiting Funds.

There are now some six thousand treasury warrants registered and outstanding and with the three thousand issued and paid some months ago the first warrant numbers registered yesterday by government employees went over the 500 mark. These warrants are not valid until there is money in the treasury to meet the demand for them. No difficulty was experienced, however, in signing them at the bank.

The amount registered is close to \$1,000,000 and the fact of this will not be a burden on the treasury in any way, as the warrants are not valid until there is money in the treasury to meet the demand for them. No difficulty was experienced, however, in signing them at the bank.

## MUCH LEPROSY EXISTS ON ISTHMUS OF PANAMA

In the various official health reports which have been made regarding the situation on the Isthmus of Panama very little has been said as to the existence of leprosy there. This may be due to the fact that the officials who formulated these reports base them upon the official records of the different hospitals, which naturally do not receive many patients afflicted with this disease. Leprosy has been more or less prevalent on the isthmus for years and Bogota, the capital of Colombia, has over 5 per cent of its population affected. The French and St. Thomas hospitals are crowded. The most prevalent diseases are beri beri, elephantiasis, dysentery and various forms of malaria, the most common and fatal type of which is termed the charges fever. It was while pursuing investigations along this line that it was found that leprosy was by no means an uncommon disease there. About a mile and a half from the city of Panama and situated along the shores of the Pacific a colony is maintained for these unfortunate people. It was some little time before the leper colony could be located. The colony consists of four wooden huts, surmounted by corrugated steel roofs, blistering under the intense rays of a tropical sun. It is thoroughly isolated and surrounded by a wire fence three feet high, the entrance to which is guarded by a public health officer. In the vicinity of the huts were found thousands of gigantic lizards, numerous sand crabs and a flock of hungry vultures. There are at present seven inmates.

The oldest and most pitiable case is that of a Chinaman, who went to the isthmus during the latter days of the French canal company as a laborer. Shortly afterward the early symptoms of the disease made their appearance and he was finally sent to Panama to become a member of the fated assembly, where he has been confined for fourteen years. He has lost both hands and feet, but seems to suffer no pain and is philosophically waiting for the inevitable end. The different types and stages of leprosy are all represented here. Each patient takes great pride in the care of his living tomb.

There was some objection on the part of the health officer in charge when it was suggested that photographs be taken of the inmates. As they themselves received the proposition with enthusiasm, and were evidently anxious to have their pictures taken, the keeper was finally persuaded to look the other way while two pictures were taken.

The old Chinaman asked for a copy of the photograph, and when he was told it would probably be a month before he could get it he replied that the photographer had better hurry or he would not be there to receive it. These unfortunate people are allowed 25 cents, gold, each day for individual maintenance, and are visited by the local health physician twice during the month. All medicines and clothing are given them by the government. The majority of the inmates are native Panamanians of Spanish or Indian descent. There are undoubtedly more cases of leprosy in Panama than the public records show. The cases in the leper colony are only those unfortunates who are friendless, homeless and penniless. In the city there are many lepers confined in the private homes by parents, relatives or friends, who can afford to pay for their maintenance and hide them from the not too vigilant health authorities.

Dr. Amador, who before he became president of the republic of Panama was medical officer for the Panama Railroad Company, is said to admit that such conditions exist, but placed the blame upon the shoulders of the Colombian government, saying that the officers of the new republic had not as yet had the time or opportunity to correct this evil. From knowledge of the methods of the officials at Panama, however, it is believed that this problem, as well as all others requiring energetic action, will be left to the American government for solution, and it is hoped that with the help of the United States sanitary commission existing conditions will be thoroughly revolutionized.—"Wilbert Melville" in Washington Star.

## UNITED STATES NAVY LIBELED BY PAVLOFF

The attention of the bureau of navigation of the Navy Department has been called to the official report of M. Pavloff, Russian minister to Korea, which was gazetted in the Official Messenger, stating that the commander of the Vicksburg refused, after the engagement at Chemulpo, to take aboard his vessel wounded men from the Russian warships Variag and Korietz. The bureau produced the following extract from the report of Commander W. A. Marshall, commanding the Vicksburg at Chemulpo, which the officials regard as a complete rebuttal:

"About 12:30 p. m. (February 9) both Russian vessels (Korietz and Variag) headed in toward their anchorage at full speed, and as they approached it was seen that the Variag had a list to port and appeared to be on fire aft on the port quarter, a number of Japanese in pursuit until about a mile inside of Yodolimi, but not firing, as the foreign men-of-war were directly in line of fire, when they gave up the chase and rejoined their squadron outside. At 12:50 the Variag anchored about 400 yards to the northward and westward of the Talbot, with the Elba about 600 yards to the southward of her. On learning that she had quite a number of wounded men I sent our medical officer on board to render assistance. The same was done by the Talbot, Elba and Pascal. A little later on, on its being reported that the Variag was in a sinking condition, two of our cutters and the whaleboat with boats from the other cruisers assisted in taking off her personnel and putting them on board the Talbot and Elba. Two Russian officers (engineers) were brought on board the Vicksburg and taken care of for some time, and on my offering to have the Variag used as temporary quarters they were taken to the Elba, and where their captain detained them and declined my offer with thanks."

It is pointed out by the chief of navigation bureau that the Variag, which was launched as a hospital ship, is a most valuable transport and a most useful auxiliary for the transportation of the wounded from the battle field, with its hospital and its ambulance.

WILL NOT OFFICIALLY PRO-

utterances of M. Pavloff, late Russian minister to Korea, relative to the conduct of the officers of the Vicksburg in connection with the securing of survivors of the Russian ships Variag and Korietz. Naval officers here have shown considerable feeling over the criticisms as affecting the honor of the United States navy, and are desirous of having an inquiry made as to why these statements are given publication in the Official Messenger, thus stamping them as official. The State Department officials, however, are disposed to ignore the incident, one of them explaining that M. Pavloff's utterances are, in a measure, pardonable, in view of the great humiliations he has suffered. A few months ago, as Russian minister and agent in Korea, the king was a puppet in the minister's hands, and he was the absolute despot of the country, but within one day, without notice, he found himself practically a prisoner in Japanese hands, escorted by a couple of Japanese soldiers on shipboard and summarily expelled from Korea. There is no prospect of his return, according to the opinion here, and the man naturally feels greatly embittered. Making due allowances for his state of mind, according to the State Department officials, the department will not notice the matter.

### THE VICKSBURG IGNORED.

A curious statement is made by a naval officer who has been in correspondence with some of the officers of the Vicksburg as to what occurred in Chemulpo harbor among the vessels of the international fleet. It is stated that on the morning of February 9, the day of the fight, the captain of the British warship Talbot began to make signals with the international code. These were directed to the French warship and to the German warship, and a lively exchange went on for a long time, but not for a moment was the Vicksburg signaled, nor was she taken into the confidence of the officers of the other ships. But the Vicksburg signalman read all of the correspondence and indeed Commander Marshall has reported officially some of the substance of the conversation.

## SHOULD LANTANA BE EXTERMINATED

The Journal d'Agriculture Tropicale (Tahiti) for March copies the article on lantana from the Hawaiian Forester and Agriculturist for January, saying by way of introduction:

"The species of lantana, a tropical genus of the verbenaceae family, are prickly shrubs, and cultivated in Europe as ornamental plants, but in warm climates they are a perfect pest and a source of great trouble to agriculturists. This applies more especially to the lantana camara and the numerous varieties of this ubiquitous species. We hear a universal complaint from India, Australia, Java and indeed from all tropical countries. During the first months of the existence of the J. d' A. T., we remember having received a letter from the Chamber of Agriculture of Tahiti, asking our advice as to the best means of arresting the lantana pest. At the time we were at a loss as to what answer to give; the data we have now received will probably be of a nature to give more satisfaction to our correspondents."

After quoting from the Honolulu periodical named the account of the campaign against lantana here, the Journal d'Agriculture Tropicale concludes thus:

"Messrs. Koebele and Perkins are persuaded that by insisting on and favoring the propagation of certain other insects, and, if necessary, importing others (now well known), the lantana would be entirely destroyed in the Hawaiian Islands; but the question arises as to whether it would be of common interest to effect this, and different opinions exist on the subject."

"Entomologists do not care to take upon themselves a decision on this matter, and ask in the first place that the question should be carefully studied by the Department of Forestry. We will inform our readers as to the result of this curious debate. But we can already note the following in the Tropical Agriculturist of Colombo, (February, 1904):

"We are convinced the complete destruction of the lantana is undesirable, as, at least in Ceylon, it greatly contributes to the fertility of abandoned fields."

## MORE ABOUT THE MOORISH BANDITS

TANGIER (Morocco), May 20.—Ion Perdicaris' family has received a letter from the brigands requesting food and clothing for the captives, the wealthy American and his stepson, Cromwell Varley, a British subject, stating that both are well. The captives are detained four hours outside of Tangier, where Correspondent Harris of the London Times was confined. A tribe loyal to the Sultan has offered to rescue the captives, but the offer was declined, because the Sultan feared that it would imperil the captives' lives.

WASHINGTON, May 20.—Mr. Perdicaris, the wealthy American resident of Tangier, Morocco, and his stepson, a British subject, who were captured by brigands, have been carried into the mountains, where pursuit is almost impossible. The State Department has been advised to this effect by Mr. Gummere, United States Consul-General at Tangier, in cablegrams reaching the department overnight. He also reports that no terms have been received from the brigand chief. Gummere said that the Moorish authorities are assisting in every way they can, and adds that a war vessel will be of great assistance.

PARIS, May 20.—The French Government does not intend to send a warship to Tangier or otherwise intervene in connection with the capturing of Perdicaris and Varley by brigands. The right of France to intervene would raise a direct issue with the Sultan of Morocco concerning the exercise of police powers. Moreover, the Government advises are that Mohammed el Torres, the representative of the Sultan at Tangier, will meet the brigands' demands in order to secure the prisoners' release.

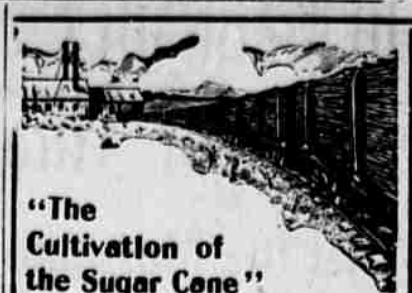
Unofficial advices say that Mohammed el Torres has already recalled the Moorish troops, as the brigands demanded. United States Consul-General Gummere, at Tangier, Morocco, telegraphs confirming the reports that the brigand band which captured Perdicaris and Varley is the same that captured Harris, the London Times correspondent, last year. Besides capturing the men, members of the band attacked the women of the Perdicaris party. The British and American representatives at Tangier are taking energetic measures to obtain the release of the captives and the Moorish authorities are assisting them.

GIBRALTAR, May 20.—A British torpedo boat, No. 88, sailed today for Tangier in connection with the kidnapping of Perdicaris and his stepson, a British subject, by armed Arabs, headed by Haimouli, the notorious brigand chief.

### NEW TRIAL ASKED.

Notion Brothers Will Argue Motion on Friday.

A new trial in the Territory vs. Notion Brothers case, in which plaintiffs were awarded \$10,000 for the loss of the Government dredger at Pearl Harbor, has been moved on the ground that the jury failed to decide from the amount awarded the sum of \$10,000 shown by the evidence to be the value of the dredger.



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To the casual observer, the papaya fruit seems to come forth of unassisted nature in the Hawaiian Islands, only needing to have the seed planted almost anywhere for producing a tree that will bear the luscious fruit in a few months. But when one essays to propagate the papaya tree without previous knowledge, it is only to encounter difficulty and disappointment. Apart from various exacting requirements in tending and pruning, the tree is possessed of vagaries in reproduction from the seed which must be learned before success in its cultivation can be obtained. The following information is furnished with a view to aiding the Hawaiian horticulturist in mastering papaya cultivation. It is compiled from "The Story of the Papaya" (as the name of the plant in one of its popular forms is there given), a paper by F. B. Kilmer, reproduced from the American Journal of Pharmacy in the August, 1903, number of the Bulletin of the Department of Agriculture, Jamaica. Particular attention is called to the facts relating to sex in the plant, for it is the peculiarity in this respect which has caused the chief trouble here.

Of the several edible species mentioned in the article here drawn from, the Carica Papaya has the main attention. It is the species cultivated in Hawaii. There are varying descriptions of the character of the plant, as it is modified by locality and cultivation. Among the notable varieties of the Carica Papaya are the green and so-called "violet." The violet is the one most highly esteemed for cultivation, but does not attain great height. The fruit is large, often weighing as much as twenty pounds, and when ripe is very sweet. While young the trees are kept shady and pruned to prevent their growing tall. To encourage fruit, portions of the flowers are picked off; the smaller fruits are removed when green, so that the remainder will grow larger and stronger. The green Carica grows to greater height than the purple; its fruits are smaller and possess a less agreeable flavor.

The three forms of flower present in the papaya are, according to the native description, classified as varieties. The so-called female trees bear only fruiting flowers, and produce the largest fruit and the greatest numbers. These flowers are single, with a yellow (or purple) corolla with five sessile petals, growing in considerable numbers at the apex of the stalk, which rapidly pushes upward and puts out new leaf stems. The fruit development is so rapid that buds, flowers, green and ripe fruit are often seen at the same time. The male flowers are borne on hanging stems, ranging from six inches to one foot or more in length, and may be white, bright yellow, sometimes tinged with purple, often developing considerable fragrance. Though not large, the fruit of the hanging papaya is very sweet. "It is quite common," Mr. Kilmer says, "for numerous papaya plants to spring up from seeds scattered by the birds over a portion of land which, according to tropical custom, has been cleared by burning away the trees and undergrowth. There are no forests of papayas, because the plants need sun and room. They are seldom seen among dense growths. They do not propagate in clusters. For the most part they are the product of cultivation, and near every hut are carefully guarded groups from two to six in number."

It must not be inferred from the foregoing remarks about the papaya as a forest growth that the plant is not capable of cultivation on a large scale. There is a magnificent orchard of papayas owned by Henry M. Wells in the Kaimuki tract, Honolulu, which is said to occupy six acres. At present every tree seems to be thriving and loaded with fine-looking, large fruit. Withal the trees, planted about ten feet apart, are of uniform height, and the orchard is one of the prettiest horticultural sights in these islands.

Among the most baffling factors in papaya cultivation would appear to be the uncertainty of results from the seeds. Speaking of strange variations in tropical plant life, Mr. Kilmer says: "The papaya is likewise very prone to variation. Seeds selected with extreme care from flourishing trees, the fruit of which would weigh fifteen pounds, upon being planted would in part follow the parent stock; other portions would revert to the wild prototype and yield fruit the size of a hen's egg."

Hon. William Fawcett, B. Sc., F. L. S., Director of the Jamaica Public Gardens and Plantations, is quoted by Mr. Kilmer as follows regarding cultivation:

"The best method of planting papayas is to raise the young plants in beds, and as soon as they are three inches high transplant them into bamboo joints, in which they can be kept until they are nine inches high, when they can be transplanted to the open ground. In dry districts they will require abundant watering, irrigation twice or thrice a week being absolutely necessary. In wet places they can be grown with little or no water. Papayas require good, rich, deep soil, and good cultivation; even then many of the plants, just as they should commence to bear, suddenly fail, the plants cease to grow, the young leaves turn yellow and fall off."

In the West Indies the accepted mode of cultivation of the papaya is to remove all but a few of the fruit, when of small size, afterward nipping off all flowers from the upper branches of the tree, and during the period the fruit is swelling to administer, when the soil is dry and seems to require it, copious supplies of water.

Regarding the seeds, Mr. Kilmer says: "The following information is given by some of the fruit of the papaya, and others which are not so common, are given by Mr. Fawcett, B. Sc., F. L. S., Director of the Jamaica Public Gardens and Plantations, is quoted by Mr. Kilmer as follows regarding cultivation:

**NO DOUBLE DEALING****Hustace Did Not Pay Magoon for Drawing Up a Deed.**

During the trial of L. H. Dee vs. W. H. Smith before Judge Gear yesterday morning, the intent of the suit being to set aside an alleged invalid deed made by Frank Hustace to the defendant, Hustace testified that he paid J. A. Magoon by check \$150 for legal services. As Magoon is attorney for Dee in the present case, the testimony of Hustace was misunderstood by some within hearing.

Mr. Dee said after the court adjourned that the fee had nothing to do with the deed he is attacking, which as a matter of fact was prepared in the office of Robertson &amp; Wilder. Dee had been urging Hustace to give a bond covering the judgment against himself, Egan and Foster in the Kamalo case. Hustace wanted legal advice on the matter and retained Magoon for the purpose with the fee of \$150, but instead of following up the question of a bond Hustace went to San Francisco. He never returned to Magoon for the requested advice.

continued experiment it was found that seeds taken from the central portion of the largest and finest fruits were the most likely to be fertile, and would give more encouraging results. The proper adjustment of the sexes in tropical soil is difficult and exasperating.

"The papaya is much like the nutmeg in its vagaries of sex relation. It is generally agreed that for fertilization one male to ten female plants is the proper ratio, but until the trees arrive at the blossoming stage (five years in the case of nutmeg), the male cannot be distinguished from the female. One can imagine the dismay of the cultivator who finds at the end of all his toil and waiting that he has a plantation of male non-fruit-bearing, instead of the coveted female or fruit-bearing plants. I have records of numerous instances where acres of ground were planted with thousands of papaya plants in which the males were in the majority of over fifteen to one."—Hawaiian Forester and Agriculturist.

**THE SUPREME COURT****Is Not Affected by Judge Galbraith's Departure.**(From Wednesday's Advertiser)  
The departure of Judge Galbraith will make no difference to the standing of the Supreme Bench, and all work of that organization will be carried on as usual.

Chief Justice Frear stated yesterday afternoon that the statute provides for the calling in of a first, second or third circuit judge in such cases where a member of the bench is absent by vacation or other cause.

"Judge De Bolt stands the first on the list to fill such a vacancy," said Chief Justice Frear, "and in the event of his not being eligible Judge Gear would be in order. The Supreme Bench is still in full effect."

**A FAIR EXCHANGE.**

Large sums of money are no doubt realized from simple speculation, but the great fortunes are derived from legitimate and honest business—where the goods furnished are worth the price they bring. Certain famous business men have accumulated their millions wholly in this way. Prompt and faithful in every contract or engagement they enjoy the confidence of the public and command a class of trade that is refused to unstable or tricky competitors. In the long run it does not pay to cheat or deceive others. A humbug may be advertised with a noise like the blowing of a thousand trumpets, but it is soon detected and exposed. The manufacturers of WAMPOLE'S PREPARATION have always acted on very different principles. Before offering it to the public they first made sure of its merits. Then, and then only, did its name appear in print. People were assured of what it would do, and found the statement truthful. To-day they believe in it as we all believe in the word of a tried and trusted friend. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. It aids digestion, drives impurities from the blood, and cures Anemia, Scrofula, Debility, Influenza, Throat and Lung Troubles, and Wasting Complaints. Dr. Louis W. Bishop says: "I take pleasure in saying I have found it a most efficient preparation, embodying all of the medicinal properties of a pure cod liver oil in a most palatable form." It is a scientific remedy and a food, with a delicious taste and flavor. This is the only medicine that is not disappointed in it. Sold by chemists here and everywhere.

**QUEEN WAS QUITE WELL****Only Planned to Snub St. Louis Fair Officials.**

The St. Louis Republic of May 14 contains the following account of Queen Liliuokalani's visit to the Exposition:

Former Queen Liliuokalani of Hawaii has departed for San Francisco, on her way to her home in Honolulu, and she goes with a thorough knowledge of the World's Fair and everything on the Pike, for, instead of being ill and confined to her room at the Inside Inn, she has been well and active, and she has "done" the Fair and the Pike independent of the Exposition Company.

The former Queen was piqued Monday afternoon when she reached the Union Station and realized that there was no reception committee to welcome her to St. Louis. She was angry when she had to pay her way into the World's Fair grounds, and still angrier when she was told at the Inside Inn that 50 cents additional for herself and each member of her party would be added to her bill each day, the said 50 cents being for admissions and for the Exposition Company.

Queen "Lil" did not sulk. That would not be royal. Indeed, she remained closely in her room and gave it out that she was "sick" and could see no one. She positively refused to see anyone. The Princess Kalaniana'ole, wife of Prince "Cupid," the former Queen's adopted son and a delegate in Congress from Hawaii, formally called on President Francis and inspected the grounds.

However, the former Queen was not to be deprived of seeing the Fair, for Tuesday morning she summoned a bell-boy and told him to call a carriage for her, and gave him \$2 to say nothing about it. When the carriage arrived, she, accompanied by the Princess and her secretary and companion, got in and took a long drive over the grounds. They were not recognized by anybody, the Queen sitting in a rear seat of the carriage and well shielded from view.

Tuesday night the former Queen walked out of the side entrance of the Inside Inn, accompanied by the Princess. They took chairs to the Pike and saw some of the entertainments along that thoroughfare. Wednesday afternoon the former Queen called at several buildings, being pushed in a chair, and Wednesday night she saw more of the Pike. The programme of Wednesday was repeated Thursday, including a ride on the Intramural.

**SLIPS OUT OF HOTEL.**  
When the former Queen left the Inn she called a bell-boy and gave him 50 cents to see that the road was clear and to say nothing. He was also the guard for her return to the Inn. When she left yesterday morning she complimented the lad and gave him \$10 for his secretiveness.

Although Queen "Lil" was frequently around the grounds, she kept away from the Administration building and from all officials of the Fair. She did not call on a single friend in St. Louis, and to every card that was sent up to her room one answer was returned: "The Queen begs to say that she is so ill that she cannot see you. She thanks you most cordially for calling and for your kind solicitation for her health."

It is to be presumed that the former Queen enjoyed the snub that she was administering to the Exposition officials and friends in St. Louis, and that she also enjoyed her tour of the various buildings and of the Pike. Wednesday night and on Thursday Prince "Cupid" was with his mother on their secret tours of the grounds and the Pike, but frequently he dropped behind them so as not to attract attention, as he is comparatively well known to Exposition officials and others at the Fair.

At Union Station yesterday morning the former Queen hurried from the carriage to her sleeper, and Prince "Cupid" looked after the baggage, which, by the way, he had to pay \$104 excess rate on, as there were eighty-three distinct packages. While the Prince will return to the Fair, Queen "Lil" will not.

**CUPID MADE HASTE AND SAILED AWAY**

(From Wednesday's Advertiser)

Prince Kuhio changed his mind about going to Chicago yesterday and at 2:30 p. m. began to make hurried preparations to get away on the Ventura with the other Republican delegates to the Chicago convention. At 4 o'clock the Prince was placidly leaning over the steamer's rail smoking a cigarette, as if he and his friends had not been all excitement up to a few minutes beforehand.

On Monday evening at the Inn given by Prince Kuhio at Waikiki he announced to several newspapermen that he had decided not to go to Chicago, but would devote his time here endeavoring to secure his reelection to Congress.

During yesterday the Prince was urged to alter his decision and go with the delegates. It is said that cabinet members from Washington were received to this end, and he finally secured his ticket, packed his trunk and left on his way to the steamer. An effort was made to hold the Ventura held on shore for his sailing time, but to no purpose. However, the Prince had no time to spare.

The Prince's departure will leave a void in the Hawaiian delegation to the Chicago convention. It is said that the Prince's departure will leave a void in the Hawaiian delegation to the Chicago convention.

**SAVE YOUR HAIR**  
With Shampoos of

And light dressings of CUTICURA, purest of emollient skin cures. This treatment at once stops falling hair, removes crusts, scales, and dandruff, soothes irritated, itching surfaces, stimulates the hair follicles, supplies the roots with energy and nourishment, and makes the hair grow upon a sweet, wholesome, healthy scalp, when all else fails.

**Complete External and Internal Treatment for Every Humour.** Consisting of CUTICURA SOAP, to cleanse the skin of crusts and scales and soften the thickened cuticle, CUTICURA Ointment, to instantly allay itching, inflammation, and irritation, and soothe and heal, and CUTICURA RESOLVENT, to cool and cleanse the blood. A SINGLE SET is often sufficient to cure the severest humours, with loss of hair, when all else fails. Aust. Depot: R. TOWN & Co., Sydney, N. S. W. So. African Depot: LINDSON LTD., Cape Town. "All about the Skin, Scalp, and Hair," post free. PUTTER CORP., Sole Props., Boston, U. S. A.**MOST POPULAR****PUBLICATION****IN HONOLULU****THE SUNDAY ADVERTISER****WAR NEWS, CHURCH NEWS, SPORTING NEWS, GENERAL NEWS AND ALL THE LATEST WORLD'S NEWS BY CABLE.****MISCELLANEOUS, LITERARY AND HUMOROUS SELECTIONS, AND A CONTINUATION OF THOMAS FITCH'S INTERESTING ARTICLES ON HIS FOREIGN TRAVELS. PUNGENT PARAGRAPHS OF THE BYSTANDER.****INTERESTING READING TO SUIT EVERY TASTE, AND WITHAL, A CLEAN PUBLICATION ADMISSABLE TO THE FAMILY CIRCLE.**

Published by the

**Hawaiian Gazette Co.,**  
Limited.

65 S. King St., Honolulu, Hawaii.

**TO SUPERSEDE JAPANESE LINE**

SAN FRANCISCO, May 25.—For some time past it has been rumored that the Toyo Kisen Kaisha Steamship Company would replace the vessels turned over to the Japanese Government at the opening of hostilities between that Government and Russia, but until this morning nothing definite had been ascertained along this line.

It is the desire of the directors of the company to secure several of the crack Atlantic liners for the trade and rumormongers that negotiations are now pending between the Toyo Kisen Kaisha people and the White Star Company. The two companies' vessels, Yamato and the White Star liner, are now in the Pacific, and the negotiations are being conducted by the Japanese people.

large boats after the pattern of the Siberia and Korea. This is unfeasible now for the reason that shipbuilding in Japan will be confined for many years to come to the naval department. This information that the company might renew operations will come as welcome news as the line was very popular with sea travelers.

**PAINE IN THE STOMACH.** Like indigestion, it is not dangerous, but decidedly unpleasant. Persons who are subject to such attacks will be pleased to know that prompt relief may be had by taking a dose or two of Chamberlain's Colic, Cholera and Diarrhoea Remedy. For sale by all Dealers and Druggists. Beware of cheap imitations. Agents for Hawaii.**Likely to Die.**

After midnight it was learned from the Spanish Hospital that Johannes, the man who fell into the hold of the Hawaiian steamer, was and had been in a very bad way, and that he was likely to die through the shock. His wife was informed.



